



CITY CLERK

CITY OF SAN JOSÉ, CALIFORNIA

Office of the City Clerk
801 North First Street, Room 116
San José, California 95110
Telephone (408) 277-4424
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STATE OF CALIFORNIA)
COUNTY OF SANTA CLARA)
CITY OF SAN JOSE)

I, Lee Price, City Clerk & Ex-Officio Clerk of the Council of and for the City of San Jose, in said County of Santa Clara, and State of California, do hereby certify that "**Ordinance No. 27458**", the original copy of which is attached hereto, was passed for publication of title on the **7th day of June, 2005**, was published in accordance with the provisions of the Charter of the City of San Jose, and was given final reading and adopted on the **14th day of June, 2005**, by the following vote:

AYES: CAMPOS, CHAVEZ, CHIRCO, CORTESE, PYLE,
REED, WILLIAMS, YEAGER; GONZALES

NOES: NONE

ABSENT: LeZOTTE

DISQUALIFIED: NONE

VACANT: DISTRICT 7

Said ordinance is effective as of **July 15, 2005**.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the City of San Jose, this **16th day of June, 2005**.

(SEAL)

LEE PRICE, CMC
CITY CLERK & EX-OFFICIO
CLERK OF THE CITY COUNCIL

06/16/05csd

ORDINANCE NO. 27458

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING
SECTION 23.04.610 OF CHAPTER 23.04 OF TITLE 23 OF
THE SAN JOSE MUNICIPAL CODE TO EXEMPT
CERTAIN TEMPORARY SIGNAGE ASSOCIATED WITH
TEMPORARY OUTDOOR USE OF PRIVATE PROPERTY
IN THE DOWNTOWN CORE**

WHEREAS, on May 18, 2005, this Ordinance was found to be categorically exempt from environmental review per the provisions of Section 15305 of the California Environmental Quality Act of 1970, as amended, under File No. PP05-108;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

Section 23.04.610 of Chapter 23.04 of Title 23 of the San José Municipal Code is hereby amended to read in its entirety as follows:

23.04.610 Temporary Sign Standards.

- A. Unless expressly provided otherwise elsewhere, no more than two (2) temporary signs may be on display at any one time for each occupancy frontage.
- B. Permissible temporary signs include:
 - 1. One (1) temporary sign not larger than five (5) square feet in sign area may be displayed for up to a total of eight (8) months in any calendar year.
 - 2. One (1) temporary sign larger than five (5) square feet but not larger than ten (10) square feet in sign area may be displayed for up to a total of three (3) months in any calendar year.
 - 3. Any building with a building footprint of five thousand (5,000) square feet or more may display one (1) temporary sign larger than ten (10) square feet in sign area for up to forty-five (45) days in any calendar year, as follows:

- a. Such sign shall not be larger than sixty-five (65) square feet.
 - b. Such sign may consist of noncontiguous segments placed on more than one (1) frontage of the building but the aggregate sign area of all segments may not exceed sixty-five (65) square feet.
4. Any building with a building footprint of twenty thousand (20,000) square feet or more may display one (1) temporary sign larger than ten (10) square feet in sign area for up to forty-five (45) days in any calendar year, as follows:
 - a. Such sign shall contain only noncommercial messages.
 - b. Such sign may consist of noncontiguous segments placed on more than one (1) frontage of the building.
 - c. No sign or sign segment on any frontage shall be larger than one hundred twenty-five (125) square feet in sign area.
 - d. Such sign may be an animated sign.
5. One (1) temporary sign related to the lease or sale of the real property on which the sign is placed and not larger than forty (40) square feet in sign area may be displayed. Such sign shall be removed within ten (10) days after the property is no longer for lease or sale.
6. One (1) or more construction signs related to construction on the property on which the sign is placed may be displayed as follows:
 - a. Construction signs may be displayed one hundred eighty (180) days prior to the commencement of construction, during construction and for a period no longer than thirty (30) days after completion of construction; and
 - b. Construction signs attached to fences that enclose the construction site and no higher than ten (10) feet above finished grade may be of any size; and
 - c. In the Downtown Sign Zone, construction signs, whether or not the signs are attached to fences that enclose the construction site, shall not exceed three hundred (300) square feet each in sign area, may be up to twenty-four (24) feet in height and shall be limited to one (1) such sign per street frontage, except that two (2) allowed signs may be joined together at the corner of a corner parcel to form one (1) larger sign which shall not exceed six hundred (600)

feet square feet in sign area; and

- d. In CO, CP, CN, CG, IP, LI and HI Zoning Districts and Neighborhood Business Districts, construction signs not attached to fences that enclose the construction site shall not exceed one hundred twenty-eight (128) square feet each in sign area and shall be limited to one (1) such sign per street frontage; and
- e. In CO, CP, CN, CG, IP, LI and HI Zoning Districts and Neighborhood Business Districts, construction signs attached to fences that enclose the construction site that are located higher than ten (10) feet above finished grade shall meet all of the following criteria:
 - i. Shall not exceed a size equal to one-hundred (100) square feet of sign area; and
 - ii. Shall be limited in number to one (1) such sign per street frontage for every two hundred (200) linear feet of perimeter construction fence along a street frontage; and
 - iii. Shall be located no higher than twenty-five (25) feet above finished grade; and
- f. Construction signs shall not be illuminated.

C. In addition to the signs described in subsections A. and B. above, unimproved parcels may display the following temporary signs:

- 1. One (1) temporary sign related to the lease or sale of any real property, as follows:
 - a. Such sign shall not exceed forty (40) square feet in sign area.
 - b. Such sign shall be removed within ten (10) days after the property to which it refers is no longer for sale or lease.
- 2. For each three hundred (300) feet of street frontage, one (1) additional temporary sign related to the lease or sale of any real property, subject to the same requirements as set forth in subsection C.1 above.
- 3. By permit in accordance with all requirements of Part 4 of Chapter 23.02 of this Title, one (1) temporary sign larger than forty (40) square feet and related to the sale or lease of any real property may be approved as follows:

- a. Such sign shall be permitted for the shorter period of three (3) years or ten (10) days after the property to which it refers is no longer for lease or sale.
 - b. Maximum size shall conform to the size allowable in the zoning district for a permanent sign on a parcel of that size.
- 4. The provisions of this Subsection C. shall not apply in the Downtown Sign Zone.
- D. Temporary signs may be freestanding or attached and, except with regard to construction signs or unless otherwise stated, shall also conform to any requirements for permanent signs in the zoning district or sign zone where located.
- E. Unless expressly provided otherwise elsewhere, freestanding temporary signs may be up to ten (10) feet in height. No greater setback than ten (10) feet shall be required.
- F. Temporary signs may not be affixed to the outside surface of a window.
- G. Temporary signs posted at events within the Downtown Core for which City permits have been issued for both the exclusive use of a specified location in the public right-of-way and a permit for temporary outdoor use of private property that is contiguous or adjacent to the public right of way permit area shall not be subject to these regulations to the extent such temporary signs are posted during

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the event and within the approved boundaries of the event. This provision also applies to signage on temporary structures at such events, regardless of whether the temporary structure is in the public right-of-way or on private property.

PASSED FOR PUBLICATION of title this 7th day of June, 2005, by the following vote:

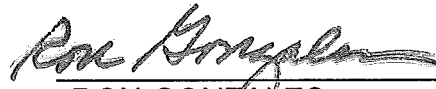
AYES: CHAVEZ, CHIRCO, CORTESE, LeZOTTE, PYLE,
REED, WILLIAMS, YEAGER; GONZALES

NOES: NONE

ABSENT: CAMPOS

DISQUALIFIED: NONE

VACANT: DISTRICT 7



RON GONZALES
Mayor

ATTEST:



LEE PRICE, CMC
City Clerk

SAN JOSE POST-RECORD

90 N FIRST ST STE 100, SAN JOSE, CA 95113
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CECILIA DELGADO
SAN JOSE CITY CLERK
801 N FIRST ST
SAN JOSE, CA - 95110

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of SANTA CLARA) ss

Notice Type: GORSJ - SAN JOSE ORDINANCE (1 PUB)

Ad Description: ORDINANCE

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the SAN JOSE POST-RECORD, a newspaper published in the English language in the city of SAN JOSE, county of SANTA CLARA, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of SANTA CLARA, State of California, under date 02/03/1922, Case No. 27844. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

06/10/2005

Executed on: 06/10/2005
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.


Signature

This space for filing stamp only

San Jose City Clerk

2005 JUN 16 A 10:35

SJ#: 828976

ORDINANCE NO. 27458
AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING SECTION 23.04.610 OF CHAPTER 23.04 OF TITLE 23 OF THE SAN JOSE MUNICIPAL CODE TO EXEMPT CERTAIN TEMPORARY SIGNAGE ASSOCIATED WITH TEMPORARY OUTDOOR USE OF PRIVATE PROPERTY IN THE DOWNTOWN CORE.
PASSED FOR PUBLICATION of title this 7th day of June, 2005, by the following vote:
AYES: CHAVEZ, CHIRCO, CORTESE, LeZOTTE, PYLE, REED, WILLIAMS, YEAGER, GONZALES
NOES: NONE
ABSENT: CAMPOS
DISQUALIFIED: NONE
VACANT: DISTRICT 7
RON GONZALES, Mayor
ATTEST:
LEE PRICE, CMC, City Clerk
06/10/2005

SJ-828976#